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Department of Energy

ROCKY FLATS OFFICE
P.O. BOX 928
DEN, COLORADO 80402-0928

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ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

95-DOE-08077

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LINGAME, A.H.		
BY, W.S.		
NIVAL, G.J.		
DOVA, R.C.		
IS, J.G.		
N, T.M.		
RERA, D.W.		
Y, R.E.		
TON, D.L.		
S, J.A.		
VER, W.S.		
AN, P.M.		
NI, B.J.		
LY, T.J.		
AHL, T.G.		
HIG, J.G.		
LOWELL, L.J.	X	
CHINS, N.M.		
KSON, D.T.		
_R, E.		
STER, A.W.		
IX, G.E.		
ART, D.		
ONALD, M.M.		
OVERN, L.J.		
ENNA, F.G.		
KERT, J.G.		
TUTO, V.M.		
TER, G.L.		
TERWHITE, D.G.		
BADER, D.C.		
UBERT, A.L.		
WARTZ, J.K.		
LOCK, G.H.		
ER, S.G.	X	
RHEIS, G.M.		
TERMAN, B.	X	

Robert Duprey, Director
Hazardous Waste Management Division
U. S. Environmental Protection Agency, Region VIII
999 18th Street, Suite 500, 8WM-C
Denver, Colorado 80202-2405

Ms. Joan Sowinski
Program Manager
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80222-1530

Gentlemen:

On November 4, 1994, the Department of Energy (DOE) provided to your Agencies a proposal for reorganization and reconfiguration of the Industrial Area Operable Units at the Rocky Flats Environmental Technology Site. The plan was consistent with discussions with your agencies, submitted in response to your request in the letter of March 31, 1994, and submitted as a proposed modification to work pursuant to Part 32, paragraph 191 of the Interagency Agreement (IAG).

The DOE received the comments from Colorado Department of Public Health and Environment (CDPHE) and Environmental Protection Agency (EPA) dated December 30, 1994, and January 9, 1995, and responded to your comments in our responses of January 6, 1995, and January 12, 1995. In our responses, we requested to meet on these issues to attempt to reach resolution by January 26, 1995, and preserved our right to dispute your non approvals.

Since you have not responded, have not approved the proposal, and we have apparently not reached resolution on the outstanding issues, we are hereby disputing, pursuant to part 12 and 16 of the IAG, your non approval of our proposed modification to work.

We have been attempting to resolve this issue at the Project Coordinator level for some time without fruition. A two week period in which to attempt to reach resolution was identified in DOE's Project Coordinator letter of January 12, 1995. This two week period has passed without resolution. Moreover, the Project Coordinators from the EPA and the CDPHE verbally represented their respective agencies' refusal to meet on this issue. Accordingly, continued efforts to resolve this issue at the informal dispute resolution level is at impasse. We are, therefore, taking this dispute directly to the Dispute Resolution Committee.

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DATE BY

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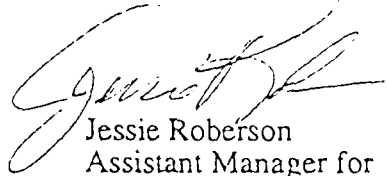
R. Duprey & J. Sowinski
95-DOE-08077

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JAN 30 1995

If you have any questions, Please contact me at 966-5981.

Sincerely,



Jessie Roberson
Assistant Manager for
Environmental Restoration

cc:

J. Ahlquist, EM-45, HQ
C. Gesalman, EM-453, HQ
K. Klein, OOM, RFFO
S. Slaten, ER, RFFO
R. Sarter, ER, RFFO
T. Looby, CDPHE
J. McGraw, EPA
L. Johnson, EPA
S. Stiger, EG&G
B. Peterman, EG&G
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